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Kuwait

Food and Agricultural Import Regulations and Standards

Country Report

2003

Approved by:

ATO: Michael T. Henney
U.S. Consulate General, Dubai, U.A.E.

Prepared by:

ATO: Hovaguim Kizirian

Report Highlights:

Kuwait enforces food shelf life standards on 44 food products, recognizes manufacturer-defined self-life for all other food products, requires Arabic language or English/Arabic language, and accepts stickers as labels. On September 1, 2003 Kuwait implemented the GCC's Unified Customs Law, imposing a flat 5-percent import duty on practically all processed food products while leaving exempt from duty live animals, fresh fruits and vegetables, seafood, grains, flours, tea, sugar, spices and seeds for planting.

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KUWAIT: FOOD IMPORT REGULATIONS

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DISCLAIMER: This report has been prepared by the Agricultural Trade Office of the USDA/Foreign Agricultural Service in Dubai, UAE for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, the information provided might be dated, as some import requirements are subject to frequent change. It is highly recommended that U.S. exporters ensure that all necessary customs clearance requirements have been verified with local authorities through your foreign importer before the sale conditions are finalized. FINAL IMPORT APPROVAL OF ANY PRODUCT IS ALWAYS SUBJECT TO THE RULES AND REGULATIONS AS INTERPRETED BY THE COUNTRY OF IMPORT AT THE TIME OF PRODUCT ENTRY.

1. GENERAL FOOD LAWS

Kuwait is a member of the Gulf Cooperation Council (GCC), which also includes Bahrain, Oman, Qatar, the United Arab Emirates and Saudi Arabia. GCC member states are working hard to harmonize food import standards, including label and shelf-life regulations, by the end of 2005.

The GCC adoption of Gulf Standard (GS) 150/1993, Part I was a significant step towards regulatory harmonization. This standard established region-wide recognized shelf-life standards for a number of food products.

On January 5, 1997, Kuwait's Ministry of Commerce and Industry issued Ministerial Decree (MD) 146/1996, recognizing GCC shelf-life standards for 44 out of the 75 products covered under GS 150/1993, Part I. (See Appendix A for a list of the products covered under MD 146.)

As of September 1998, Kuwait Municipality recognized a six-month shelf life for fresh table eggs instead of 3 months as stipulated in MD 146/1996. U.S. suppliers had considered the 3-month shelf-life requirement extremely difficult to meet.

Kuwait recognizes manufacturer-recommended shelf-life durations for those food products not identified under MD 146/1996. Many Kuwaiti traders, however, require that all imported food products comply with the GCC shelf-life standard (GS 150/1993), even those products not under MD 146/1996. Regardless of which standard is applied, Kuwait officials will bar entry of any product with less than half its shelf life remaining at time of import.

On January 1, 2003, the GCC implemented the "Unified Customs Law and Single Customs Tariff" (UCL). Under the UCL, a unified customs tariff of five percent is applied on practically all processed food products. Also, under the UCL, a single entry point policy for all products imported in the GCC countries was approved. In other words, a product entering one GCC country would be assessed the five percent duty only once and be credited as such if transhipped to another GCC market.

Kuwait ratified the UCL in April 2003 and began implementation as of September 1, 2003. Kuwait exempts live animals, fresh fruits and vegetables, seafood, grains, flours, tea, sugar, spices and seeds for planting from any import duty imposed by this law.

The single entry point policy approved under the UCL, however, has not been implemented by all GCC countries to date due to a variety of reasons, including disparity of food control

procedures, quality of health laboratories and procedures for dividing tariff proceeds among member countries.

Kuwaiti officials appear to be willing to work with companies to ensure that food and agricultural imports are not disrupted. For example, officials are willing to approve food labels prior to product export. Pre-export approval can significantly speed import clearance, particularly for new-to-market products and brands.

The Department of Standards and Metrology, Public Authority for Industry (PAI), in cooperation with other concerned departments, including the Kuwait Municipality (KUM), the Ministry of Public Health (MOPH), the Public Authority for Agricultural Affairs and Fish Resources (PAAFR) and the Kuwait Institute for Scientific Research (KISR), are responsible for establishing local food safety regulations. Regulations become law only after they are officially announced in a ministerial decree and published in the official gazette of Kuwait. Usually, a grace period of up to six months is granted prior to enforcement of any new regulations.

Regulatory enforcement is divided between the KUM, MOPH and PAAFR. The Imported Food Department, KUM, is responsible for visually inspecting all imported food products, for verifying compliance with label regulations and for drawing samples for laboratory analysis to be conducted by the MOPH. In general, new-to-market products and products that have failed past inspections are subject to thorough inspection. Laboratory testing may take 7-10 days depending on the tests required. In some cases, total testing may take 2-4 weeks to be completed.

Compliance disputes are handled by a "Food Committee" comprised of representatives from the KUM, MOPH, PAI, PAAFR, KISR and the Kuwait Chamber of Commerce and Industry. The committee determines the validity of a complaint and can order re-inspection, if found to be warranted. Consignments with minor labeling infractions may be granted a one-time waiver, provided the products are found to be safe for human consumption.

Live animals and plants, feedstuffs and horticultural products, such as seeds for planting, are inspected at port-of-entry by the PAAFR, which decides if quarantine is warranted. Feedstuff samples are routinely analyzed at a specialized PAAFR laboratory.

To facilitate entry, suppliers are strongly encouraged to work closely with their local importers to obtain pre-export approval for labels, particularly for new-to-market products, and to ensure that their products meet all local import regulations.

2. LABELING REQUIREMENTS

Label regulations are outlined in Kuwait Standard (KS) 42/1973, which is identical to GS 9/1984. Under KS 42, food labels must include the following information, in Arabic, on the original label or on the primary packaging:

- Product and brand name
- Country of origin
- Ingredients, in descending order of proportion
- Additives, if any
- Origin of animal fat (e.g., beef fat), if applicable
- Net content in metric units (volume in case of liquids)
- Production and expiry dates (English digits only are also permitted, as is Arabic/English)
- Manufacturer's and/or packer's name and address
- Special storage, transportation and preparation instructions, if any.

Bilingual labels are permitted, provided one of the languages is Arabic (e.g. Arabic/English). Arabic language stickers are permitted in lieu of original Arabic or bilingual labels, provided the sticker:

- 1) is extremely difficult to remove;
- 2) includes all required label information;
- 3) does not cover required information on the original label; and
- 4) does not contradict information on the original label.

In fact, local officials consider such stickers to be labels.

Production and expiry (P/E) dates must be engraved, embossed, printed or stamped directly onto the original label or primary packaging at the time of production, using indelible ink. As noted above, these dates may be printed in English only, Arabic only or English/Arabic. These dates may not be printed on a sticker. U.S. bar coding is not permitted in lieu of P/E dates and a label may not contain more than one set of P/E dates. The dates must be printed in digit form (no text is permitted) in the following order, depending on the shelf-life of the product:

- Day/month/year for products with a shelf-life of 6 months or less;
- Month/year for products with a shelf-life longer than 6 months.

For example, 1/1/2001 is permitted for a product with a shelf-life of 6 months or less; 1/JAN/2001 is not acceptable and will be rejected.

Since September 1998, Kuwait Municipality has required that all P/E dates for food products include all 4 digits for the year rather than 2 digits. However, as most food suppliers could not comply, this regulation was not enforced.

As noted earlier, Kuwait enforces GCC shelf-life standards for 44 food products (Appendix A) and recognizes manufacturer-established shelf-life standards for all other food products. Many importers, however, require imported products to be in compliance with GCC shelf-life standards, even those not officially enforced by Kuwaiti officials, to provide them flexibility in marketing the product within the region.

All special food products, such as diet, health and infant foods and artificial sweeteners must be pre-registered with the Nutrition Unit of the Ministry of Public Health. Labels for these products must contain detailed information about ingredients (e.g., vitamins, minerals, supplements, food colors, preservatives, etc.), nutritive value per 100 grams, health warnings if any, and instructions for proper use and storage. The U.S. nutritional panel is permitted.

Special food products must be displayed separately from other foods in retail outlets, in well-marked locations. Media advertising for these products requires prior approval from the MOPH. General requirements for packaged special foods are covered under KS 859/1997 which is identical to GS 654/1996.

Products shipped in bulk or institutional-sized containers must comply with all label requirements. P/E dates, however, are not required for certain products including fresh fruits and vegetables, fresh bakery items and products deemed to have extremely long shelf-life durations, such as salt and sugar. Production dates are recommended, however, for these products and often are requested by an importer.

Products arriving clearly marked, as samples not intended for sale, are exempt from labeling regulations.

3. FOOD ADDITIVES

In general, local regulations governing the use of food additives are based on Codex Alimentarius standards. According to trade contacts, rarely is a U.S. food product rejected by Kuwaiti officials due to the unauthorized use of an additive.

Color additives are regulated under KS 214/1999, which is identical to GS 23/1998. Under this standard, the common name and index number of all food color additives contained in a product, must be noted on the product label. European "E" numbers are permitted. (See Appendix B for a list of color additives currently approved by Kuwait).

Other food additives such as preservatives, flavorings, antioxidants, emulsifiers and others are regulated under KS 147/1994, which is identical to the Codex Alimentarius standard. Sweeteners allowed for use in food products are listed in KS 1176/1999, which is identical to GS 995/1198.

4. PESTICIDE AND OTHER CONTAMINANTS

Local regulations governing pesticide and other contaminant residue levels are based on Codex Alimentarius standards. Specifically, KS 514/1994 regulates pesticide and other contaminant residues in food products

5. OTHER REGULATIONS AND REQUIREMENTS

All food consignments must be accompanied by a health certificate issued by the appropriate government agency in the country of origin, attesting to the product's fitness for human consumption. In addition, all meat and poultry products must be accompanied by an Islamic (Halal) slaughter certificate issued by an approved Islamic center in the country of origin. Islamic (Halal) slaughter requirements are covered under KS 1174/1999 which is identical to GS 993/1998.

Inspection officials routinely check for salmonella in poultry products. A shipment will be rejected if salmonella is detected in more than 20 percent of the tested samples.

The importation of alcoholic beverages and pork, and food products containing alcohol or pork, is prohibited. In addition, it is prohibited to import a product with a label containing a picture of alcohol or pork, or a recipe requiring these products even though the imported product is free of these ingredients. Since late 2000, the importing of non-alcoholic beer has been permitted on condition that the alcohol level does not exceed 0.05 percent.

There are no special packaging or container size requirements for food products. However, boxes for fresh fruits and vegetables are regulated by KS 65/1992, which is identical to GS 124/1990.

The importation of irradiated food products is permitted, but the product's label must clearly indicate that the product has been irradiated. KS 1171/1999, which is identical to GS 988/1998, sets the maximum irradiation level permitted with different food products.

Local food safety inspectors randomly check food products already in the market. In addition to visually inspecting labels, samples are taken and analyzed to ensure that product ingredients match those listed on the label. These inspections are conducted without the

knowledge of the importer. If a discrepancy is found, the importer is informed and the product removed from the market and destroyed at the importer's expense. If the infraction is severe (e.g. traces of pork are found) or an importer has been found to have intentionally altered or falsified a product's label, the product may be banned from import for a specified period of time, usually six to twelve months.

6. OTHER STANDARDS

There are no special requirements regulating the import of food samples. Samples destined for food shows and other types of promotional events are exempt from local label and shelf-life regulations. Such shipments, however, must still be accompanied by a health certificate, as well as an invoice noting that the product is not for sale, is a sample whose commercial value is zero.

7. COPYRIGHT/TRADEMARK LAWS

In 1999 Kuwait passed its first copyright law. In 1998 Kuwait joined the World Intellectual Property Organization (WIPO). Copyright holders are permitted to collect civil damages from violators.

On January 14, 2001, Kuwait implemented new patent and trademark legislation, bringing it into compliance with the WTO agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS). Brand registration is recommended to protect both the importer and foreign supplier against parallel imports and copycat labels. The Ministry of Commerce and Industry (MOCI), Trademarks Section, is responsible for product registration, which usually can be completed within a short period of time.

Agency agreements are regulated by Commercial Law 36/1964 and Commercial Law 68/1980.

8. IMPORT PROCEDURES

Shuwaikh port in Kuwait City and Shuaiba port about 25 miles south of the city are the primary entry ports for food products. Both ports boast state-of-the-art equipment. Many fresh and chilled products are imported via Kuwait International Airport, located a short distance from Kuwait City. Fresh produce imported from nearby Middle East countries arrives by refrigerated trucks via land entry points on the Saudi Arabian border.

Typically consignments clear customs within 2-3 days. However health clearance can take 7-10 days. Depending on type of test required, health clearance can take upwards of two to four weeks. Fresh products, however, usually are cleared within 24 hours of arrival. Once customs clearance is obtained, an importer may elect to warehouse a consignment under bond, pending health clearance.

The following documents are required for food imports:

- Commercial invoice
- Packing list
- Bill of Lading
- Health certificate
- Halal slaughter certificate (for meat and meat products)
- Certificate of Origin

The Halal and Country of Origin certificates must be notarized by a local or a National/Arab Chamber of Commerce as well as a Kuwaiti diplomatic mission in the United States.

A consignment rejected for food safety reasons must be re-exported (but not to another GCC country), or destroyed, within six months of arrival.

As noted earlier, an importer may appeal the rejection of a shipment to a special committee comprised of representatives from various government ministries. If after additional testing, the consignment is again rejected, the appeal is closed. If, however, the consignment is determined fit for human consumption, a third round of tests would be conducted to verify results of the second testing. If those results remain unchanged, the shipment is released. If the results are negative, the shipment is rejected and the appeal closed. An importer may store a consignment in his warehouse under bond, pending the outcome of an appeal.

Products rejected for minor labeling infractions may be allowed entry upon appeal. New-to-market and ethnic food products can be allowed entry on a one-time basis, despite minor labeling infractions. Infractions of production/expiry date regulations (e.g., missing or incorrectly printed dates or dates printed on stickers rather than original labels/packaging) will result in rejection of the shipment.

9. APPENDICES

APPENDIX A. SHELF-LIFE STANDARDS

Kuwait enforces GCC shelf-life standards only for the following food products.

(1) Frozen foods (stored at temperatures not exceeding -18C):

Product	Packing	Shelf Life	Remarks
Ice cream	Suitable containers	12 months	
Fruits	Suitable containers	12 months	
French fries	Plastic bags	18 months	
Eggs	Suitable containers	9 months	

(2) Chilled foods (stored at temperatures from 0-5C):

Product	Packing	Shelf Life	Remarks
Yogurt and flavored yogurt	Suitable containers, hermetically closed	10 days	
Heat treated yogurt	Suitable containers	6 weeks	
Processed cheese	Non-metallic packages	18 months	
Butter	Suitable containers	2 months	
Margarine	Plastic sheet packages	3 months	

(3) Packaged products that are stored at suitable temperatures in well-ventilated stores:

Product	Packing	Shelf Life	Remarks
Canned meat	Sterilized metal containers	24 months	
Canned seafood	" "	24 months	
Evaporated milk	" "	12 months	
Full cream dried milk	" "	18 months	
Processed cheese	Metallic containers	18 months	
Dried fruit juices	Suitable containers	18 months	
Jams, jellies and marmalades	Cans or glass jars	24 months	

Hot sauces	Glass containers	24 months	
Pickles	Tightly sealed glass containers	18 months	
Breakfast cereals such as corn, wheat and rice flakes, etc	Paper or aluminum foil containers	12 months	
Dried milk-based baby foods	Tightly sealed metallic containers or packed under vacuum and sterilized	18 months	
Fruit juices for babies	Tightly sealed glass containers, sterilized	12 months	
Powdered or granulated baby foods prepared from cereals, legumes, fruits or vegetables, etc.	Carton containers lined with aluminum foil	12 months	
	Metallic containers vacuum packed or in inert gas and tightly sealed		
Cocoa powder	In metallic, glass or aluminum foil containers, packed under vacuum or in inert gas	24 months	
Ground roasted coffee	In metallic or aluminum foil containers, packed under vacuum or in inert gas	18 months	
Instant coffee	Metal or glass containers	24 months	
	Aluminum foil or special paper packs	12 months	
Cake mixes	Paper or aluminum foil packages	18 months	
Flour	Cloth bags	6 months	
Macaroni (pasta products)	Carton containers or plastic bags	24 months	
Starch, all types	Paper or plastic packages	24 months	
Plain hard candies	Suitable containers	24 months	
Enriched, fortified hard candies	Suitable containers	12 months	
Powdered soups	Paper, plastic or aluminum foil containers	18 months	
Vinegar, all types	Glass containers	24 months	

Brown sugar	Paper or plastic bags	18 months	
Halawa Tehinah (an Arabic sweet)	Metallic or plastic containers	12 months	
	Wrapped in paper or aluminum foil	6 months	
Tehina (sesame oil emulsion)	Suitable containers	9 months	

(4) Food products that require specific storage temperatures:

Product	Packing	Storage Condition	Shelf Life	Remarks
Fresh beef and buffalo meat	Suitable containers	Temp. 0C to -2C	21 days from slaughter date	
Fresh mutton and goat meat	Suitable containers	Temp. 0C to -2C	14 days from slaughter date	
Vacuum packed fresh meats	Plastic containers	Temp. 0C to -2C	10 weeks from slaughter date	To arrive within 40 days from slaughter
Stuffed or covered biscuits	Cans	Temperatures not exceeding 25C in well ventilated stores, far from moisture and contamination sources	12 months	
Flour	Paper or plastic bags		12 months	
Mayonnaise	Glass or metal containers		12 months	
Fresh eggs (table eggs)	Suitable containers	Stored at 4-10C	3 months (1)	
All kinds of chocolates	Paper, aluminum foil or plastic containers		12 months	

(1) Subsequently amended to 6 months.

Kuwait recognizes shelf-life durations set by the manufacturer for products not listed above. Suppliers are encouraged to work closely with their importers to ensure that their products comply with all local import requirements. A product must arrive in Kuwait before half its shelf life is elapsed.

APPENDIX B. LIST OF PERMITTED FOOD COLORS

The following is a list of food colors, natural and artificial, permitted in Kuwait:

A. Natural Food Colors

Color/Description	International Number	Other Names
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Red to Yellow Colors

Carmine	120	Cochineal, Carminic Acid
Annato extracts	160B	Bixin, Norbixin
Beta Carotene	160A	Carotene blend
Lycobine	160D	
Beta-Apo-8-carotenal	160E	
Beta-Apo-8-carotenoic acid	160F	
Lutein	161B	
Carrot oil	None	
Beet root red	162	Betanine

Red to Purple Shade

Anthocyanins	163(i)	
Grape skin extract	163(ii)	
Blackcurrant extract	163(iii)	Enocianina
Beet powder	None	
Paprika	None	
Paprika oleoresin	160C	

Orange and Yellow Colors

Saffron	None	Natural yellow 6
Turmeric powder	100(ii)	
Curcumin	100(i)	
Turmeric oleoresin	None	
Riboflavin	101(i)	
Riboflavin-5-Sodium Phosphate	101(ii)	

Green Colors

Chlorophylls	140	Chlorophyllins
Chlorophyll copper complex	141(i)	
Sodium and potassium salts of chlorophyll copper complex	141(ii)	

Brown Colors

Plain caramel	150A	
Caustic sulphite caramel	150B	
Ammonia caramel	150C	
Ammonia sulphite caramel	150D	

Black Color

Activated vegetable carbon 153

Inorganic Colors

Titanium dioxide 171 Food white 6
Iron oxides 172

B. Artificial Food Colors**Red Colors**

Azorubine 122 Carmosine, Food red 3
Allura Red 17 129 Food red 40

Yellow Colors

Sunset yellow FCF 110 Food yellow 3, Food orange S, Yellow 6
for food, drugs and cosmetics
Tartrazine 102 Food yellow 4, Yellow 5 for food, drugs
and cosmetics

Brown Color

Chocolate brown HT 155 Food brown 3

Green Color

Fast green FCF 143 Food green 3, Green 3 for food, drugs
and cosmetics

Blue Colors

Indigotine 132 Carmine indigo, Blue 2 for
food, drugs and cosmetics, Food blue 1
Brilliant blue FCF 133 Food blue 2, Blue 1 for food, drugs and
cosmetics

Black Color

Brilliant black BN 151 Food black 1, Black PN

C. Coloring Matters Allowed for Use in Selected Foods

International Number	Color	Food	Maximum Limit
127	Erythrosine	Cherry and Products	None
128	Red 2 G	Sausages	20 ppm
161G	Canthaxanthin	Cooked Sausages	30 ppm
		Frozen Foods	100 ppm
173	Aluminum	External Cover for Cake and Pasta	According to Good Production Practice
174	Silver	External Cover for Sweets	According to Good Production Practice
175	Gold	External Cover for Sweets	According to Good Production Practice
180	Lithotrubine	Cheese Covering	According to Good Production Practice
None	Orange B	Sausage and Frankfurters Covering	150 ppm
None	Citrus Red 2	Orange Peel	2 ppm

ppm: Parts per million.

D. Recently Prohibited Colors

International Number	Color	Remarks
104	Quinolin yellow	Prohibited in all food products
124	Ponceau 4R	Prohibited in all food products

APPENDIX C. REGULATORY AGENCIES / USEFUL CONTACTS

Name/Address	Field of Specialty
A. Government	
Mr. Yousef Shihab Al-Bahar Vice General Director for Standards and Industrial Services Affairs Public Authority for Industry P.O. Box 4690 Safat 13047 Kuwait Tel: (965) 431-8451; Fax: (965) 431-8159	Food safety and other standards
Mr. Khalid A. Al-Fahed Director of Standards & Metrology Dept. Public Authority for Industry P.O. Box 4690 Safat 13047 Kuwait Tel: (965) 431-8740; Fax: (965) 431-6704	Food safety and other standards
Dr. Siham Al-Mufti Director of Public Health Laboratories Ministry of Public Health P.O. Box 35699 Shaab 36057 Kuwait Tel: (965) 265-3631; Fax: (965) 265-3483	Analysis of imported food products
Dr. Mohammed Al-Muhanna Acting Deputy Director General for Animal Resources Public Authority for Agricultural Affairs and Fish Resources P.O. Box 21422 Safat 13075 Kuwait Tel: (965) 476-5038/26; Fax: (965) 472-3896	Livestock and pet import regulations and inspection
Mr. Abdul Aziz J. Al-Ramadhan Supervisor of Foreign Trade Statistics Central Statistics Office Ministry of Planning P.O. Box 26188 Safat 13122 Kuwait Tel: (965) 243-0414; Fax: (965) 242-7562	Trade data
H.E. Sheikh Fahed bin Salem Al-Ali Al-Sabah Chairman of the Board and Director General Public Authority for Agricultural Affairs and Fish Resources P.O. Box 21422 Safat 13075 Kuwait Tel: (965) 476-1116/7/8/9; Fax: (965) 476-5551	Livestock and horticultural products import regulations and inspection

Dr. Hussein Al-Shammaa
Director of Animal Health Dept.
Public Authority for Agriculture
Affairs and Fish Resources
P.O. Box 21422 Safat
13075 Kuwait
Tel: (965) 471-7123; Fax: (965) 472-2417

Livestock and pet import
regulations and inspection

Mr. Khalid H. Al-Zahmoul
Department Manager - Imported Food
Kuwait Municipality
P.O. Box 10
Safat, Kuwait 13001
Tel: (965) 481-0972; Fax: (965) 481-1358

Food import regulations
and inspection

B. Non-government

Mr. Ahmad Rashed Al-Haroun
Director General
Kuwait Chamber of Commerce and Industry
P.O. Box 775 Safat
13008 Kuwait
Tel: (965) 80-55-80; Fax: (965) 240-4110

Commercial regulations and
trade data

Mr. Adel Al-Huwail, Director
Foreign Commercial Relations Department
Kuwait Chamber of Commerce & Industry
P.O. Box 775
Safat 13008, Kuwait
Tel: (965) 80-55-80; Fax: (965) 243-3858

Commercial regulations and
trade data

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